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29A 3453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHOHEI SATO

Serial No.: 10/620,094

Filed: July 15, 2003

For: **ULTRASONIC PROBE AND
MANUFACTURING METHOD
THEREOF**

Art Unit: 2834

Examiner: Thomas M. Dougherty

REQUEST FOR ACCEPTANCE
OF
INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned received a communication (copy attached) from the Commissioner for Patents written by the Examiner Tom Dougherty and dated October 23, 2006, which states, "The Information Disclosure Statement of 06/08/06 has not been considered since it has been submitted after indication of allowance of 04/."

The undersigned hereby request that the Information Disclosure Statement (IDS) of June 8, 2006 be accepted and considered by the Examiner by the following reasons since it was filed pursuant to the rules:

1. The issued communication states, "The Information Disclosure Statement of 06/08/06 has not been considered since it has been submitted after indication of allowance"; however, this is incorrect. 37 CFR 1.97(d) states, "An information disclosure statement shall be considered ... if filed ... before payment of the issue fee." An information disclosure statement should be considered if it is filed before payment of the issue fee, and the June 8, 2006 IDS (it was actually mailed out by the undersigned on June 6, 2006 by First Class Mail of USPS) was filed "before payment of the issue fee," since the issue fee payment for the present

application was made on July 24, 2006 (see the attached copy of the Fee Transmittal which contains mailing certificate of July 24, 2006 signed by the undersigned).


2. 37 CFR 1.97(d) further provides, "An information disclosure statement shall be considered ... if the information disclosure statement ... is accompanied by: (1) The statement specified in paragraph (e) of this section, and (2) The fee set forth in 1.17(p)." As seen from the attached copy of the June 8, 2006 IDS, (1) the required "statement" is present in the upper part of page 2 of the IDS, and (2) the required fee was paid as stated in the middle portion of page 2 of the IDS and as seen from the copy of the cashed check (furthermore, the June 8, 2006 IDS contains a statement, "Please charge any additional cost incurred by or in order to implement this Information Disclosure Statement to Koda and Androlia Deposit Account No. 11-1445.")

3. In view of the above, it is apparent that the IDS of June 8, 2006 was duly filed timely and in compliance with 37 CFR 1.97(d); and it is hereby requested that the June 8, 2006 IDS be entered and considered.

Please charge any additional cost incurred by or in order to implement this Information Disclosure Statement to Koda and Androlia Deposit Account No. 11-1445.

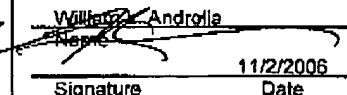
Respectfully Submitted,

KODA & ANDROLIA

By: 
William L. Androlia
Reg. No. 27,177

Date: November 2, 2006

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Los Angeles, CA 90067
Tel: 310-277-1391
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Certificate of Transmission	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on November 2, 2006.	
 Signature	11/2/2006 Date

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NOV 02 2006

10/620,094

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20061023

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Information Disclosure Statement of 06/08/06 has not been considered since it has been submitted after indication of allowance of 04/.

Thomas M. Dougherty
TOM DOUGHERTY
PRIMARY EXAMINER

KODA & ANDROLIA GENERAL ACCOUNT 2029 CENTURY PARK EAST SUITE 1140 LOS ANGELES, CA 90067-2983 (310) 277-1381		CITY NATIONAL BANK CENTURY CITY (310) 888-6850 1800 CENTURY PARK EAST LOS ANGELES, CA 90067 16-1608/1220		44467
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